

From: Scott Ashton
To: Microsoft ATR
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Subject: Anti-Trust Settlement

To Whom It May Concern:

I do not believe that the settlement proposed by the Department of Justice provides a reasonable penalty for Microsoft. In fact it would appear that the Department of Justice is actually helping Microsoft to secure business within the education sector.

First and foremost, the software portion that Microsoft will be "giving away" isn't exactly a gift. In most cases, Microsoft will in fact be securing additional market share. By providing Microsoft operating systems and Intel based hardware to run their OS on, Microsoft will in essence have a captive audience. Additionally, Microsoft will only provide technical support for three years, at which time they stand to generate even more revenue by selling support services.

Microsoft being ordered to "give-away" its software is like the tobacco companies being ordered to install cigarette machines in schools.

Throughout the DOJ probe in fact Microsoft continued its monopolistic practices. In fact several months ago I was speaking to a sales representative at Gateway (a personal computer manufacturer that my company deals with on a regular basis) I was considering ordering our computers without an operating system, so that I could install an open-source operating system called Linux. I was told by the sales representative that they could ship the computers without the operating system, but we would still have to pay for the Microsoft operating system because they had a contract with Microsoft. The business that I work for is a non-profit hospital center in an urban environment. We recently replaced approximately six hundred computers. If we could have installed an open source operating system (at no cost) versus two hundred dollars per computer for Windows 2000, we would have saved one hundred and twenty thousand dollars.

Microsoft has damaged many businesses via its unscrupulous practices. I would propose that Microsoft have to provide non-Microsoft based systems (there are many viable alternatives) in order to fulfill the DOJ sanction.

Over the years companies like Apple (very popular among schools), Sun Microsystems, Netscape, and many others (quite a few no longer in business as a result) have been damaged by Microsoft. All of these companies offer hardware and or software that could be used as part of this settlement.

And what recourse for organizations such as mine that have been strong-armed by Microsoft? Certainly we can't afford to litigate against such a giant. Its sad, one hundred and twenty thousand dollars could have bought vital medical equipment, or underwrote desperately needed charity care. For the sake of my organization as well as so many others that have been harmed by Microsoft's illegal business practices I hope that the DOJ will make the right decision.

Thank you for your consideration.

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